

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

MARIA BUSTOS RAMIREZ, et al.,

Plaintiffs,

v.

MERRILL GARDENS, LLC,

Defendant.

Case No. 1:22-cv-00542-SAB

ORDER REQUIRING COUNSEL FOR
PLAINTIFF HOLGUIN TO SHOW CAUSE
WHY SANCTIONS SHOULD NOT BE
IMPOSED FOR FAILING TO APPEAR AT
FINAL APPROVAL HEARING

FIVE DAY DEADLINE

On January 10, 2024, an order issued granting Plaintiffs' motion for preliminary approval of the settlement of this class action and setting the final approval hearing for May 29, 2024. (ECF No. 54.) On May 1, 2024, Plaintiffs filed a motion for final approval of the class and representative action settlement. (ECF No. 55.) Defendant filed a notice of non-opposition on May 15, 2024. (ECF No. 56.) Counsel Allen Feghali appeared by video for Plaintiff Ramirez and counsel Diane O'Malley and Samantha Botros appeared by video for Defendant. There was no appearance at the hearing by Plaintiff Holguin.

The Court has inherent power to sanction parties or their attorneys for improper conduct. Chambers v. Nasco, Inc., 501 U.S. 32, 43-46 (1991); Roadway Express, Inc. v. Piper, 447 U.S. 752, 766 (1980); Fink v. Gomez, 239 F.3d 989, 991 (9th Cir. 2001). Local Rule 110 provides that "[f]ailure of counsel or of a party to comply with these Rules or with any order of the Court may be grounds for imposition by the Court of any and all sanctions . . . within the inherent

1 power of the Court.” The Court has the inherent power to control its docket and may, in the
2 exercise of that power, impose sanctions where appropriate, including dismissal of the action.
3 Bautista v. Los Angeles County, 216 F.3d 837, 841 (9th Cir. 2000).

4 Accordingly, IT IS HEREBY ORDERED that Counsel for Plaintiff Holguin SHALL
5 SHOW CAUSE IN WRITING within **five (5) days** of the date of entry of this order why
6 monetary sanctions should not be imposed for the failure to appear at the May 29, 2024 final
7 approval hearing.

8
9 IT IS SO ORDERED.

10 Dated: **May 29, 2024**


UNITED STATES MAGISTRATE JUDGE